

ZB# 06-18

Arif Masood

69-3-6

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Decision 5-26-06

06-18
ARIF MASOOD - (516) 494-3444
419 Windsor Hwy - AM MART

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 69-3-6

In the Matter of the Application of

AM MART, INC.

MEMORANDUM OF
DECISION GRANTING

SIGN

CASE #06-18

WHEREAS, Arif Masood, owner(s) of 419 Windsor Highway, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 96 sq. ft. free-standing sign and; 5 ft. height for proposed sign in a C Zone (69-3-6)

WHEREAS, a public hearing was held on May 22, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there was one spectator(s) appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application, the only speaker having questions; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located in a neighborhood of commercial properties fronting on a busy public highway in an C zone.
 - (b) The property is located at the intersection of five roadways, commonly known as "The Five Corners".
 - (c) The applicant presently operates a gas station on the location in question. The gas station is changing it's affiliation and seeks this application in order to vary the

demensions of it's existing free-standing sign so as to accommodate it's new affiliation.

- (d) There was, until recently, a free-standing sign in that location, which sign was blown down in a recent storm.
- (e) The new proposed sign will be approximately twon and one half feet taller than the existing sign, but, it will not be taller than other signs in the neighborhood.
- (f) The new sign will be narrower than the old sign.
- (g) The sign will be internally illuminated with non-flashing lights.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

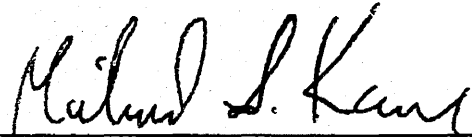
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 96 sq. ft. free-standing sign and; 5 ft. height for proposed sign at 419 Windsor Highway in a C Zone (69-3-6) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: May 22, 2006

A handwritten signature in dark ink, appearing to read "Michael S. Kane", is written over a horizontal line.

Chairman

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: March 13, 2006

APPLICANT: AM Mart Inc.
275 Brandywine Dreive
Orangeburgh, NY 10962

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: March 10, 2006

FOR : AM Mart Inc.

LOCATED AT: 419 Windsor Highway

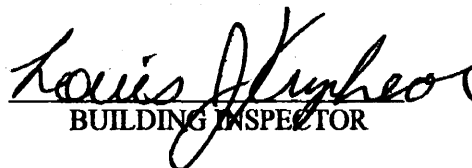
ZONE: C Sec/ Blk/ Lot: 69-3-6

COPY

DESCRIPTION OF EXISTING SITE: CONVENIENT STORE/GAS STATION

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-45 Freestanding Signs, 1 permitted not to exceed 64 sq.ft. total all faces and 15ft. above ground level. Proposed sign will be 20ft. above ground level and 160 sq. ft. total of both faces.


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: C USE:			
SIGN:			
FREESTANDING:	64 sq.ft.	160 sq. ft.	96 sq.ft.
HEIGHT:	15'	20'	5'
WIDTH:			
WALL SIGNS:			
TOTAL ALL SIGNS:			
FEET FROM ANY LOT LINE:			

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

DO NOT CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Accord form - liability

C105.2 OR worker
U.28.3 comp.

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unchecked inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floor and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

MAR 10 2006

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2006-194

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

ARIE MASOOD

Address

419 WINDSOR HWY, VAILS GATE, NY 12584

Phone # 845-562 0544

Mailing Address

AS ABOVE

Fax #

Name of Architect

Address

Phone

Name of Contractor

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the N 22-194 side of 419 WINDSOR HWY
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section _____ Block _____ Lot _____

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy GAS STATION + C-Store Intended use and occupancy SAME

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☒ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? YES

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost ZONING BOARD

Fee \$ 50- **PAID**

Postal Money Order 08446926197

3110106

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryohar
New Windsor Town Hall
655 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4895 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Am) Manohar Chaudhry
(Signature of Applicant)

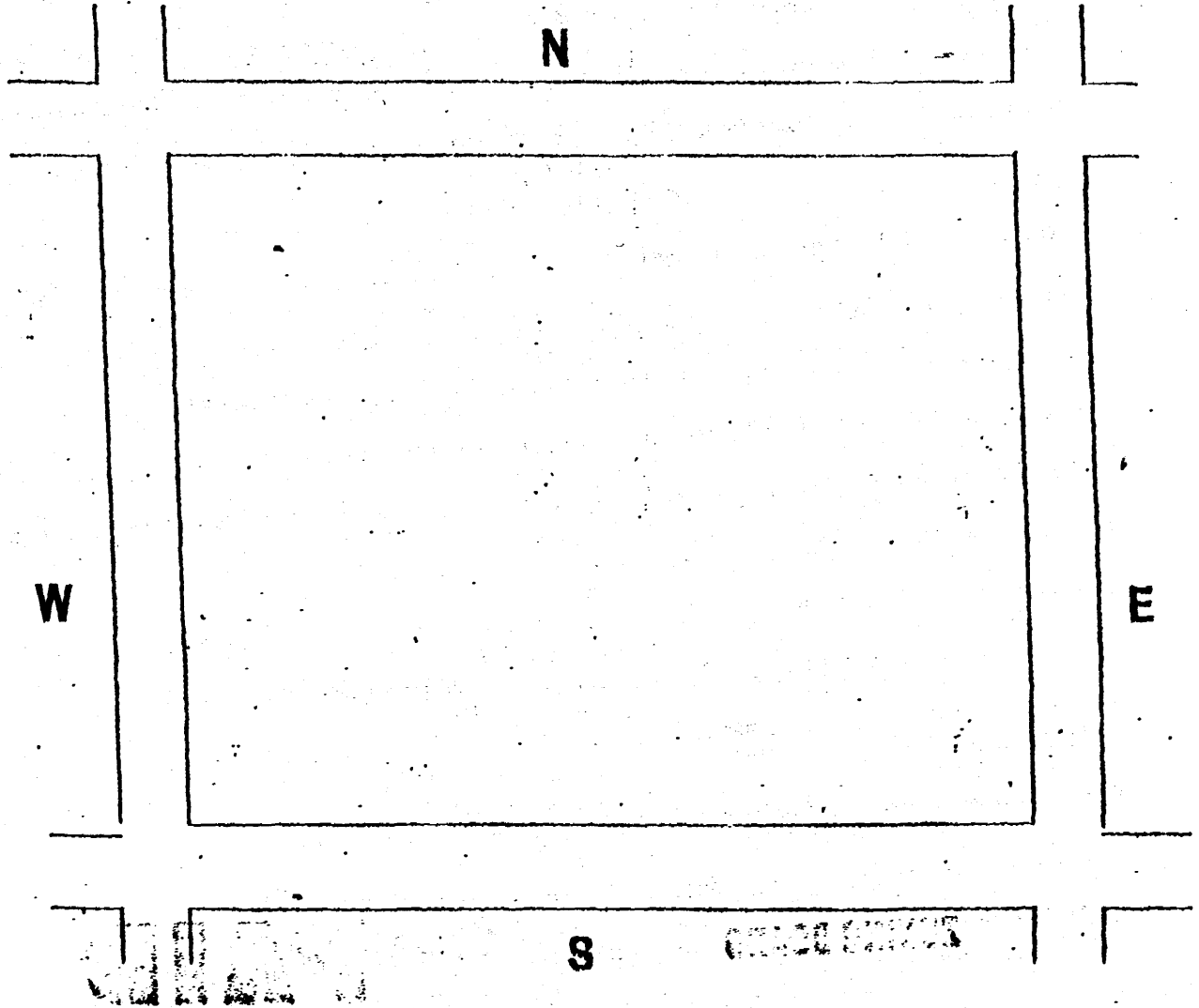
419 WINDSOR HWY, VAILS GATE, NY 12584
(Address of Applicant)

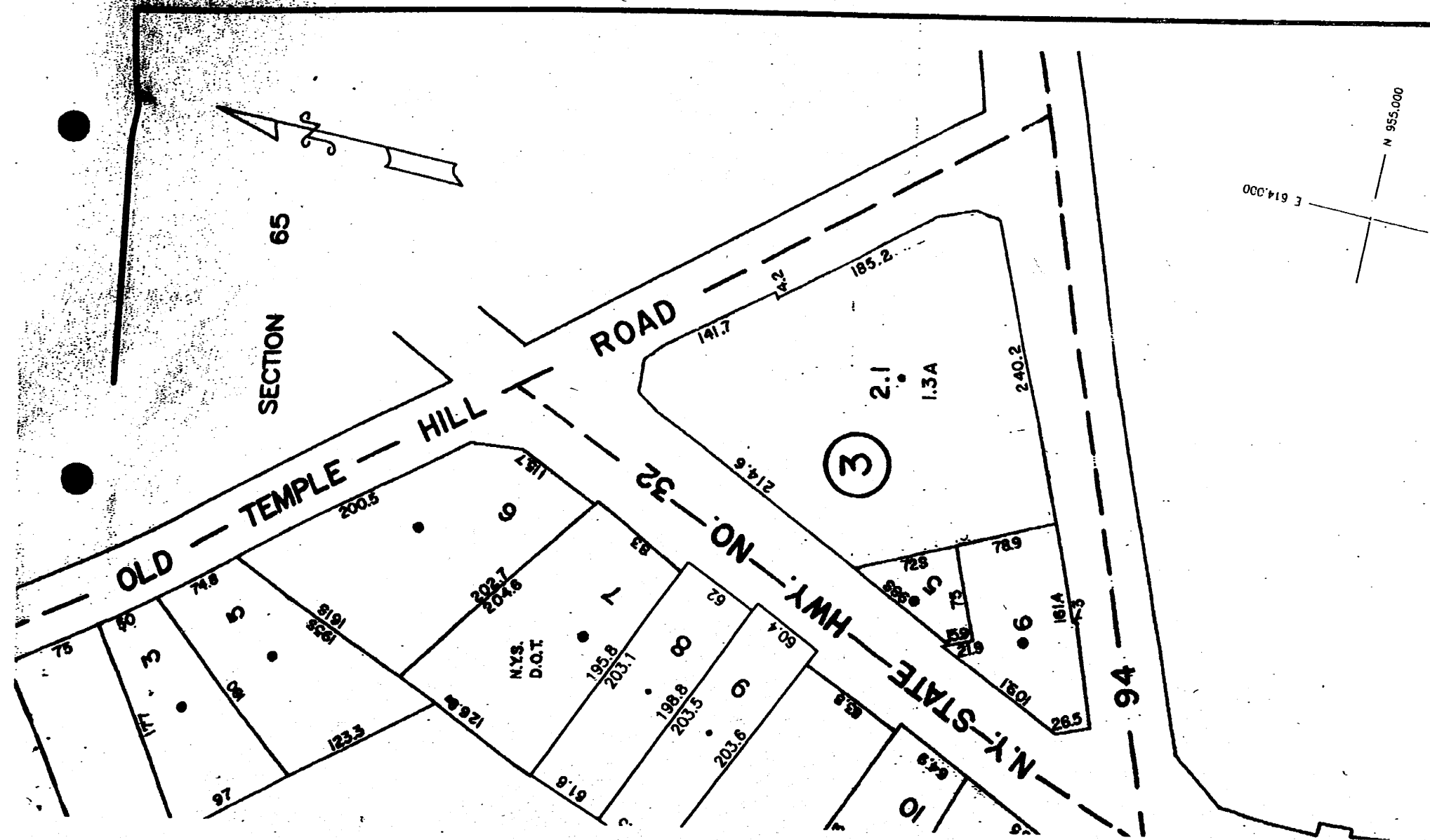
(Owner's Signature)

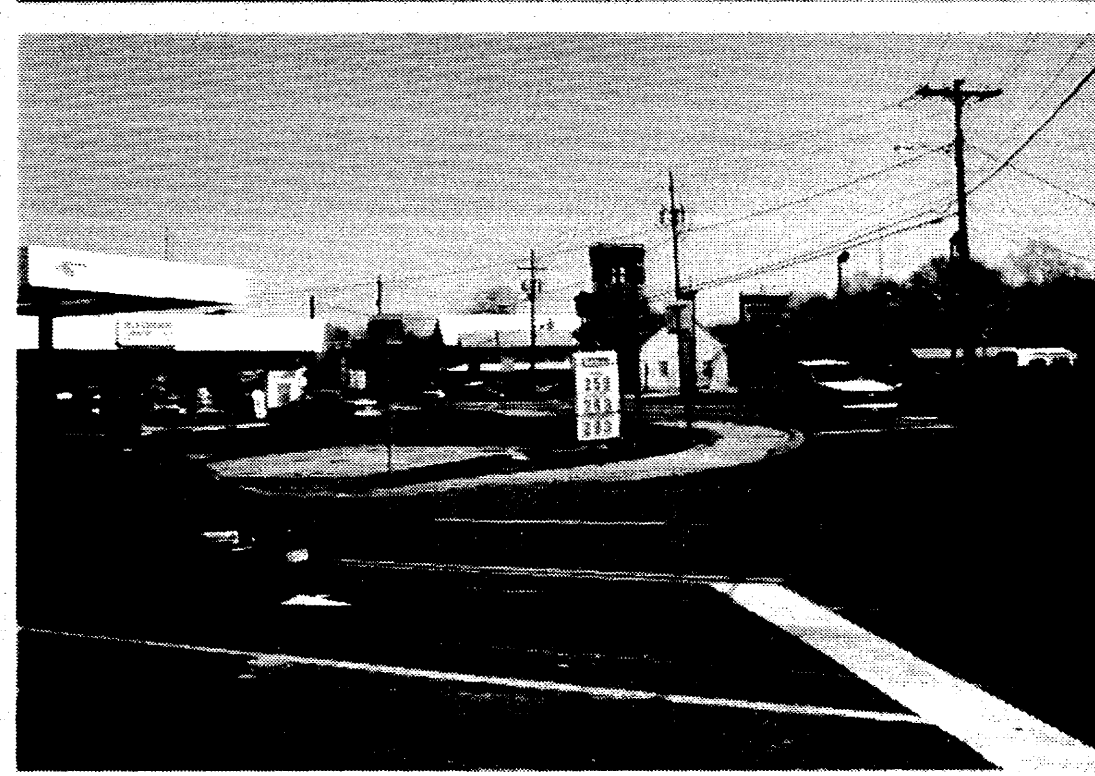
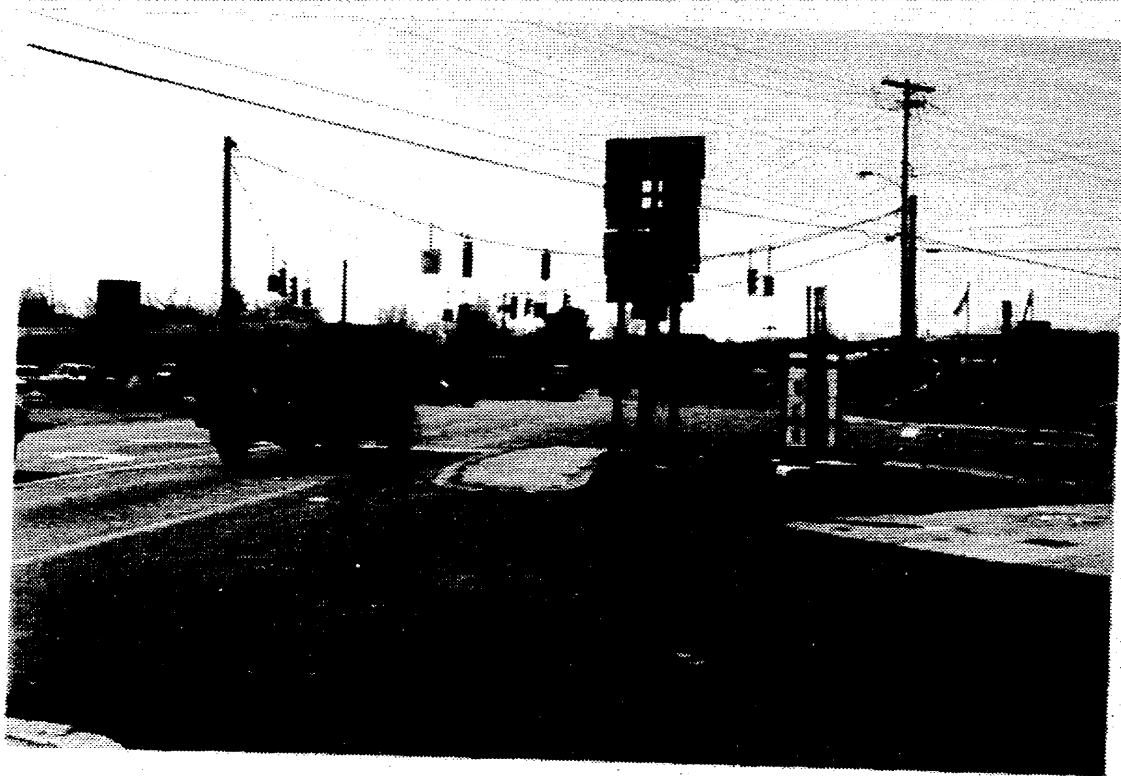
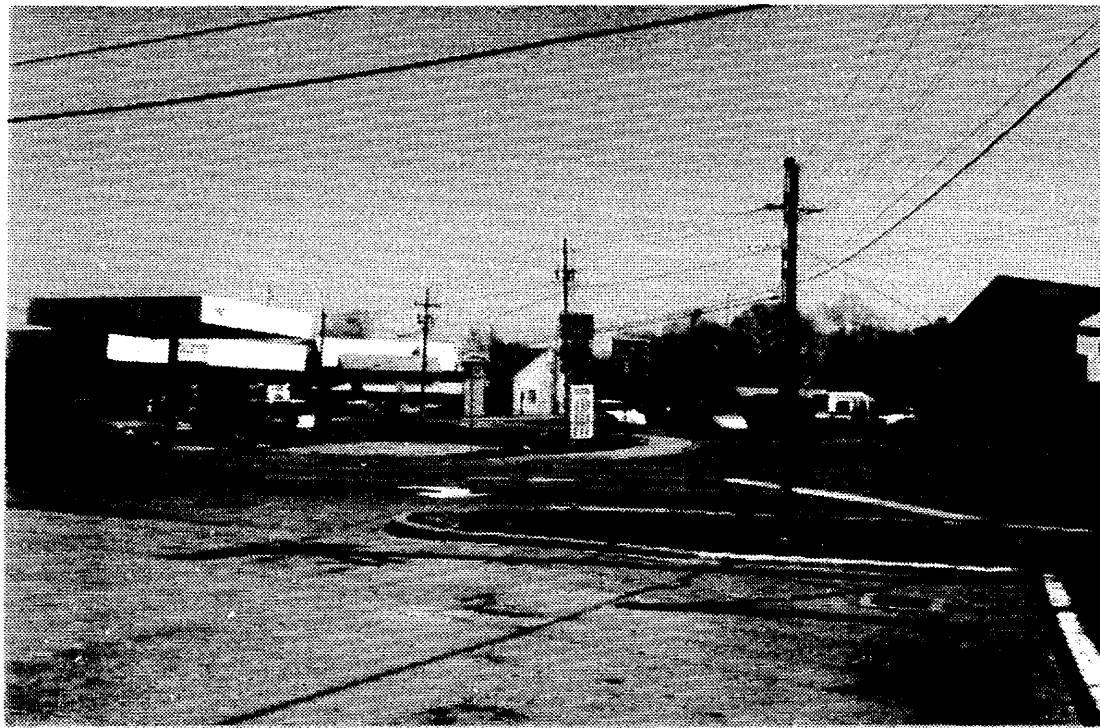
PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.










RVI



Shell Monolith 4X5 SIGN SYSTEM

Attachment 3

1500 N. Bolton
Jacksonville, Texas 75766
Phone: 800.888.1327
Fax: 903.589.2102

**FEDERAL
HEATH**
SIGN COMPANY



Regular 
Plus 
V-Power 

Food Mart
Car Wash
Open 24 Hours

STANDARD





ITEM #	DESCRIPTION	PRICE	QUANTITY
SH1045TP	4'X5' ID SIGN	\$700.00	<input type="text"/>
SH3015TP.0G	1'2" X 5' 1X SOLID GRAY SIGN	\$407.00	<input type="text"/>
Food Mart SH3015TP.0F	1'2" X 5' 1X FOOD MART SIGN	\$446.00	<input type="text"/>
Car Wash SH3015TP.0W	1'2" X 5' 1X CAR WASH SIGN	\$446.00	<input type="text"/>
Service Center SH3015TP.0V	1'2" X 5' 1X SERVICE CENTER SIGN	\$446.00	<input type="text"/>
Restaurant SH3015TP.0V	1'2" X 5' 1X RESTAURANT SIGN	\$446.00	<input type="text"/>
Brushless Wash SH3015TP.0V	1'2" X 5' 1X BRUSHLESS WASH SIGN	\$446.00	<input type="text"/>
SH2015TP.1	1'2" X 5' 1X ONE PRODUCT PRICE SIGN	\$452.00 each	<input type="text"/>

<input type="checkbox"/> Regular 	<input type="checkbox"/> Plus 	<input type="checkbox"/> V-Power 	<input type="checkbox"/> Diesel 	<input type="checkbox"/> Premium Diesel 	<input type="checkbox"/> Diesel #2 
REGULAR	PLUS	V-POWER	DIESEL	PREMIUM DIESEL	DIESEL #2 (FOR CA. & NV.)

SH8004LF.3N	THREE PRODUCT NUMERAL FONT	\$72.00	<input type="text"/>
SH8004LF.1N	ONE PRODUCT NUMERAL FONT	\$34.00	<input type="text"/>
SH8004SC.3	STORAGE CABINET FOR NUMERALS	\$27.00	<input type="text"/>
SH818RCA.WZ	18' CHANGE ARM W/ REG. SUCTION CUP - 3/4"	\$43.00	<input type="text"/>

Pay at Pump SH3015TP.0V	1'2" X 5' 1X PAY AT PUMP SIGN	\$446.00	<input type="text"/>
Open 24 Hours SH3015TP.0V	1'2" X 5' 1X OPEN 24 HOURS SIGN	\$446.00	<input type="text"/>
ATM SH3015TP.0V	1'2" X 5' 1X ATM SIGN	\$446.00	<input type="text"/>

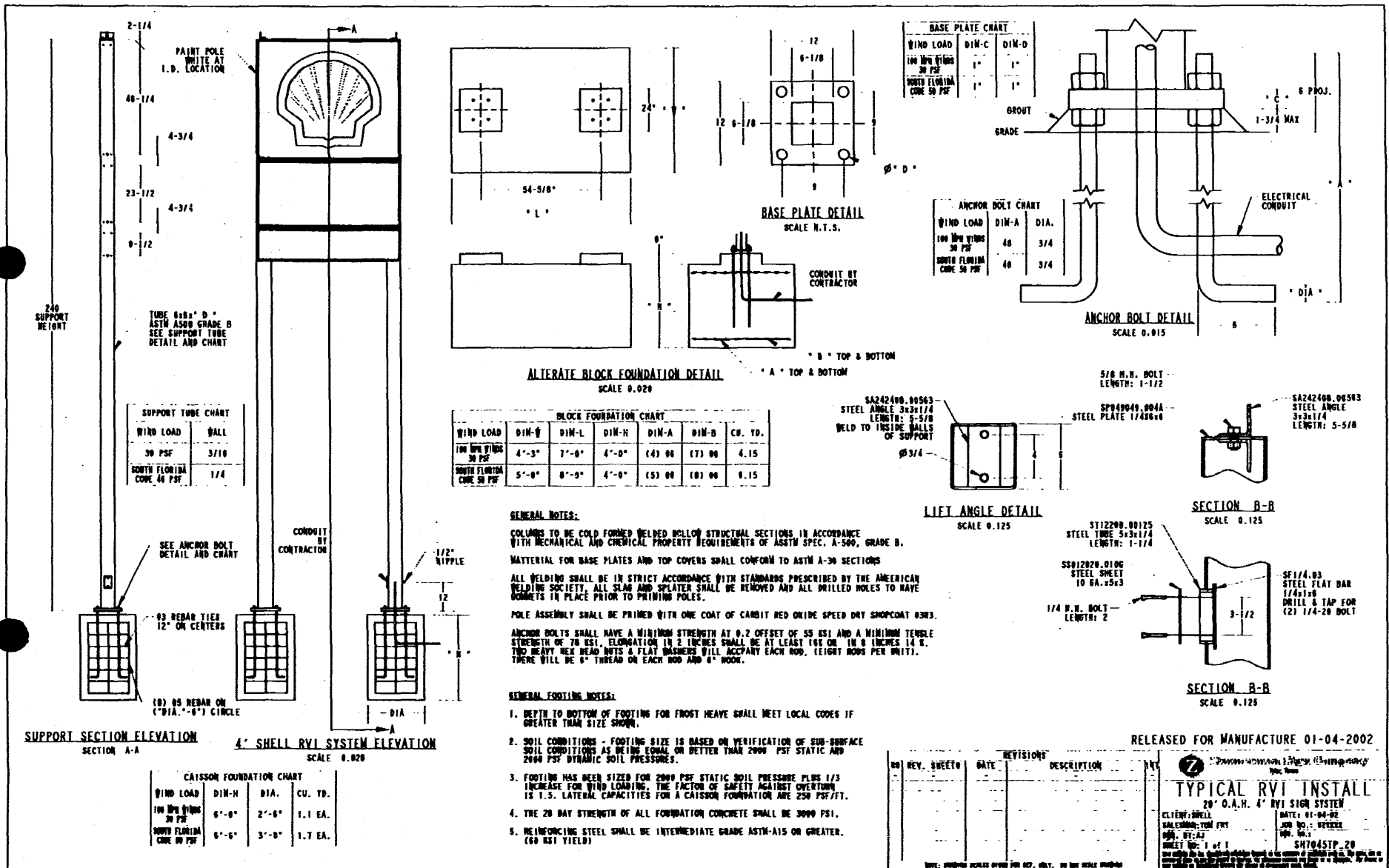
2X PRICE SYSTEM

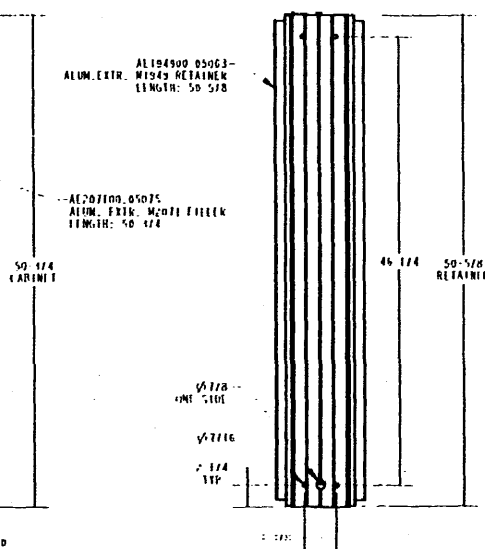
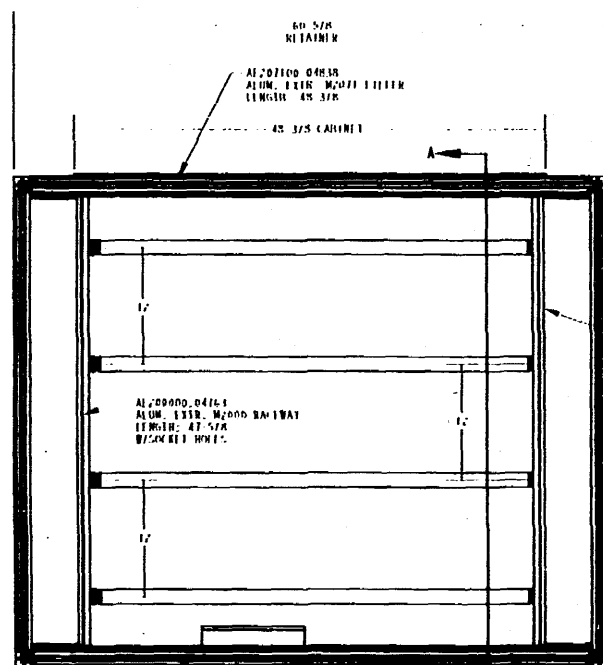
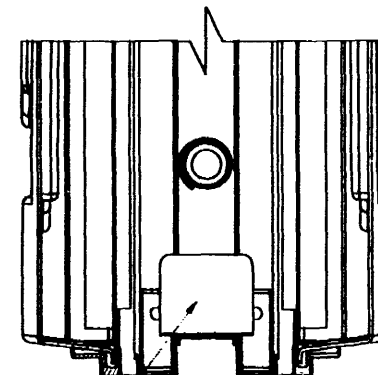
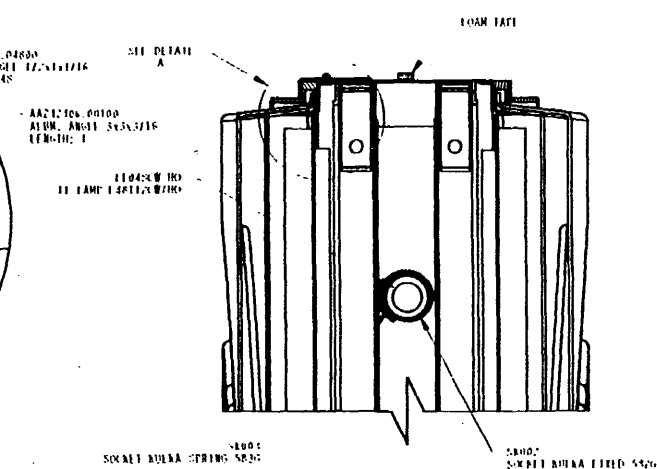
Regular  1.68⁺ Diesel 1.59⁺	SH3035TP.0V	3'6" X 5' 2X PRICE SIGN WITH BLANK	\$768.00	<input type="text"/>
	SH8004LF.1LMD	5' LARGE MAGNA DIGIT FONT	\$583.00	<input type="text"/>
Regular  1.68⁺ Diesel 1.59⁺	SH3035TP.0V	3'6" X 5' 2X PRICE SIGN WITH DIESEL	\$768.00	<input type="text"/>
	SH8004LF.1SMD	5' SMALL MAGNA DIGIT FONT	\$355.00	<input type="text"/>
	SH8004SC.1LMD	STORAGE CABINET - LARGE DIGIT	\$43.00	<input type="text"/>
	SH8004SC.1SMD	STORAGE CABINET - SMALL DIGIT	\$36.00	<input type="text"/>
	SH823MCA.4	MAGNA DIGIT MAGNETIC CHANGE ARM	\$60.00	<input type="text"/>

<input type="checkbox"/> Diesel 	<input type="checkbox"/> Premium Diesel 	<input type="checkbox"/> Diesel #2 
DIESEL	PREMIUM DIESEL	DIESEL #2 (FOR CA. & NV.)

Version 10.10.05

Attachment #2.



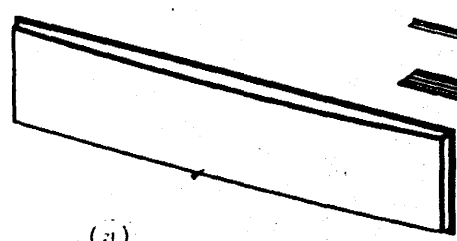


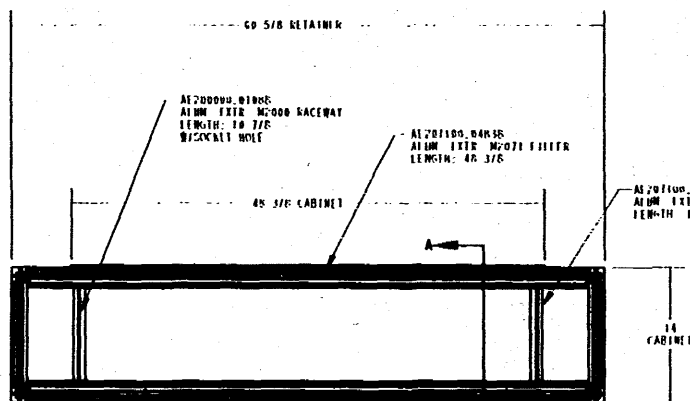
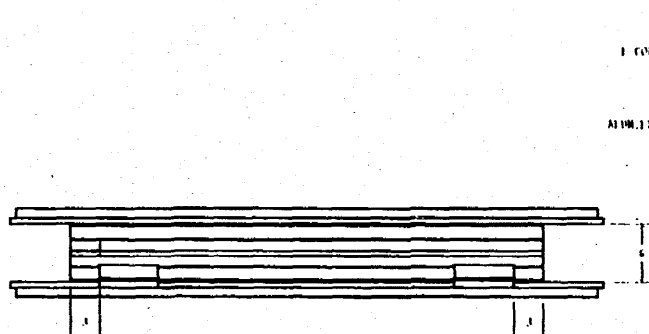
AL 701300 019 24
ALPH 1XIN M/02 COVER
11M-18 27 3/4

ELEVATION VIEW
SCALE 0.025

AL 20 1200. 07600
AL 110 1 110 1120 11, 11011
11011 11 11

[illegible]

[illegible]



ELEVATION VIEW
SCALE: 0.8X5

AL201400, 01270
ALUM EXTR M205X COVER
LENGTH: 15 1/2"

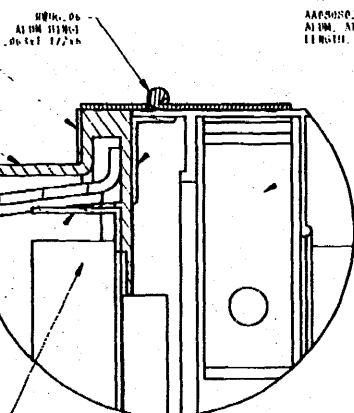
AL201200, 00600
ALUM EXTR M205X COVER
LENGTH: 6"

1 CORNER BRACKET CHROME PLATED
AL192400, 00600
ALUM EXTR M205X
LENGTH: 60 5/8"

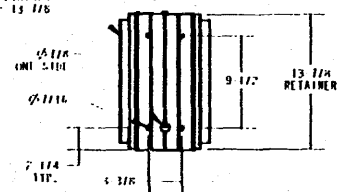
AA040502, 05700
ALUM, ANGLE 1/2" x 1"
LENGTH: 52"

AA040502, 01800
ALUM, ANGLE 1/2" x 1"
LENGTH: 10 6/16"

AL192400, 01270
ALUM EXTR M205X
LENGTH: 15 1/2"

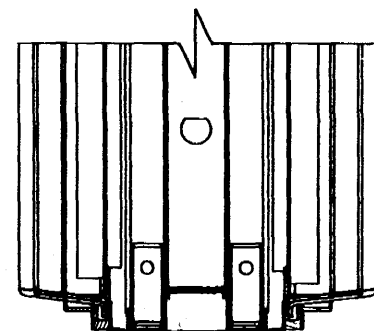
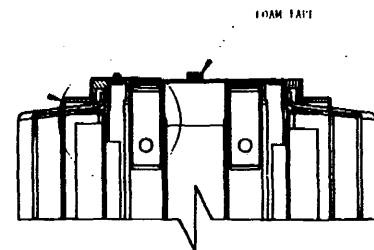


DETAIL A
SCALE: 0.15X



AA040502, 03600
ALUM, ANGLE 1/2" x 1/2"
LENGTH: 48"

AA242406, 00100
ALUM, ANGLE 3/4" x 3/16"
LENGTH: 1"



SECTION A-A
SCALE: 0.25X

REV.	DATE	DESCRIPTION
01	11/15/01	1x5 RVT SOLID GRAY SIGN
02	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
03	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
04	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
05	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
06	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
07	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
08	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
09	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
10	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
11	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
12	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
13	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
14	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
15	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
16	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
17	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
18	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
19	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN
20	11/15/01	1x5 RVT SOLID GRAY D/I TRIM FOR SIGN

BILL OF MATERIALS									
ITEM	SECTION	ITEM NAME	LEVEL	QTY	DESCRIPTION	LENGTH	QTY		
1	SUB-110, 05	50 X 15 GRAY 1P	1	1	SHEET 25 X 15 RVI D/L 1P SOLID GRAY SIGN	59.150	1		
2	AA050502, 11490	CABINET 25 X 15 GRAY	2	1	SUB FRAME 25 X 15 GRAY 5/8 GRAY RETAINING	59.150	1		
3	AL 201100, 0.5000	VERT LITTE 25 X	3	6063 15	ALUM EXTR. M-001 LITTE	25.000	1		
4	AL 201100, 0.4358	INSAZOMIAL LITTE	4	6063 15	ALUM EXTR. M-001 LITTE	18.125	1		
5	AL 200000, 0.2458	VERT COVER 25 X	5	6063 15	ALUM EXTR. M-000 RAILWAY	24.875	1		
6	AL 204500, 0.3338	INSAZOMIAL COVER	6	6063 15	ALUM EXTR. M-003 COVER	19.125	1		
7	AL 204500, 0.0600	INWZ LOW LIND	7	6063 15	ALUM EXTR. M-003 COVER	6.000	1		
8	AL 194900, 0.7285	VERT RETAINER 25 X	8	6063 15	ALUM EXTR. M-045 RETAINER	27.875	1		
9	AL 194900, 0.0600	INSAZOMIAL RETAINER	9	6063 15	ALUM EXTR. M-045 RETAINER	19.125	1		
10	AA040502, 0.2458	VERT IN RET 25 X	10	6063 15	ALUM ANGLE 1.000 0.500	27.875	1		
11	AA040502, 0.5200	INWZ IN RETAINER	11	6063 15	ALUM ANGLE 1.000 0.500	57.000	1		
12	AA747104, 0.0100	AL ANG 50P	12	6063 15	ALUM ANGLE 0.155 1.000 1.000	1.000	5		
13		RT CORNER HAT	13	A1C	1 CORNER BRACKET CHROME PLATED		5		
14	AA050502, 0.0145	AL ANG CAP	14	6063 15	ALUM ANGLE 0.063 1.000 1.000	1.150	2		
15	A-051154, 0.040	AL SHILL 2X5	15	3003 H14	ALUM SHILL 0.040 5.250	27.875	1		
16	AA050502, 0.4500	AL ANG HEN	16	6063 15	ALUM ANGLE 0.063 1.000 0.500	45.000	1		
17	AA121702, 0.0050	AL HINGE HEN	17		ALUM HINGE 0.063 1.500	6.000	2		
18		FOAM TAP	18		FOAM TAP		1		
19	11491100, 20	GRAY 20 4011	19		TRIMM GRAY B 20 4011		1		
20	11491100, 05	FACE 25 GRAY RVI	20		FACE SOLID 25X15 5/8 SOLID GRAY		1		
21	11491100, 125	FA 25 GRAY RVI	21	FOXY	FACE CLIP 0.125 27.000	59.150	1		
22	11491100, 125	GRAY 18 2557	22		ARTIC FACE 18 2557 GRAY		1		

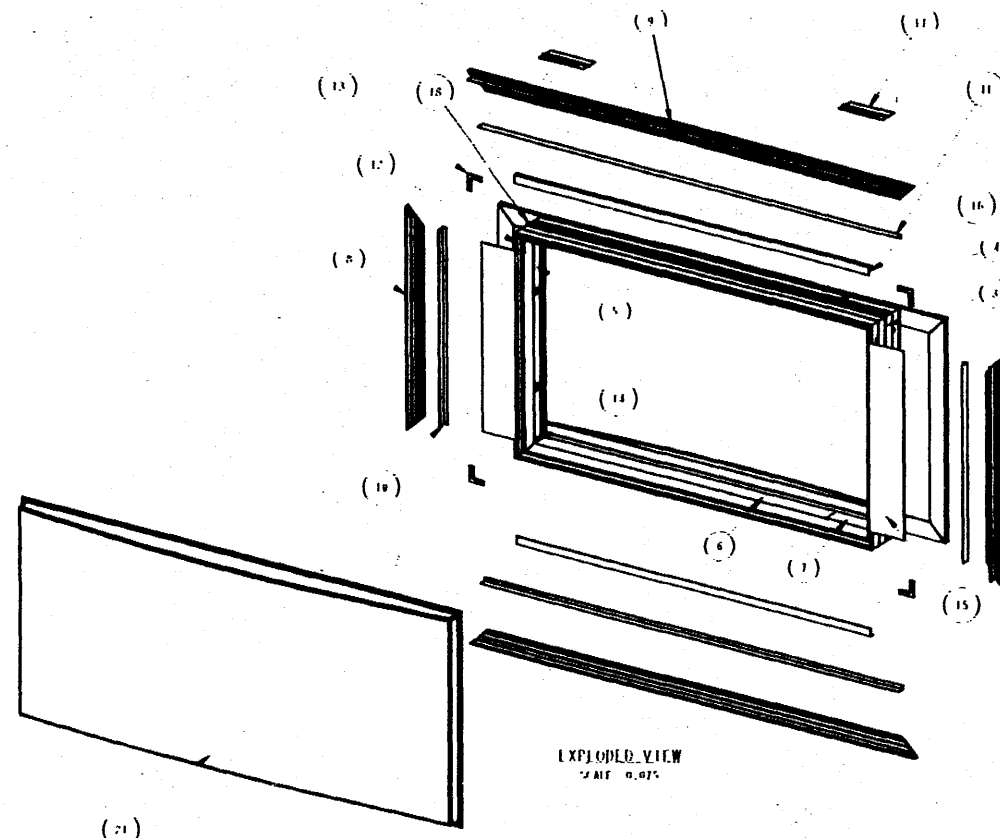
SIGN SPECIFICATIONS

SIGN SIZE
SIGN AREA: 11.8 SQ. FT.
ACTUAL SIZE: 25X15
APPROXIMATE TOTAL WEIGHT: 25 LBS
DETERMINED WIND LOAD: 30 PSI

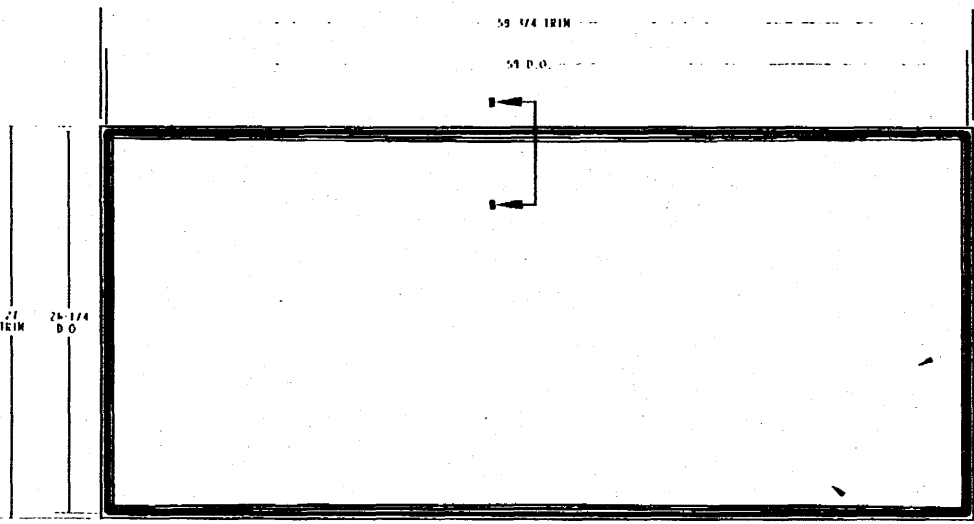
ELECTRICAL
TOTAL AMPS: 0.8
CIRCUITS: 101 20 AMP
VOLTS: 120

COLORS
CABINET EXTERIOR: GRAY B 20-4011 RETAINERS
FACE: GRAY 18 2557 OFAFOE

NO	REV.	DATE	DESCRIPTION	BY
1				
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EXPLODED VIEW
SCALE 0.075



ELEVATION VIEW
SCALE 0.125

STANDARD 125
POLY CLEAR
125055 124677

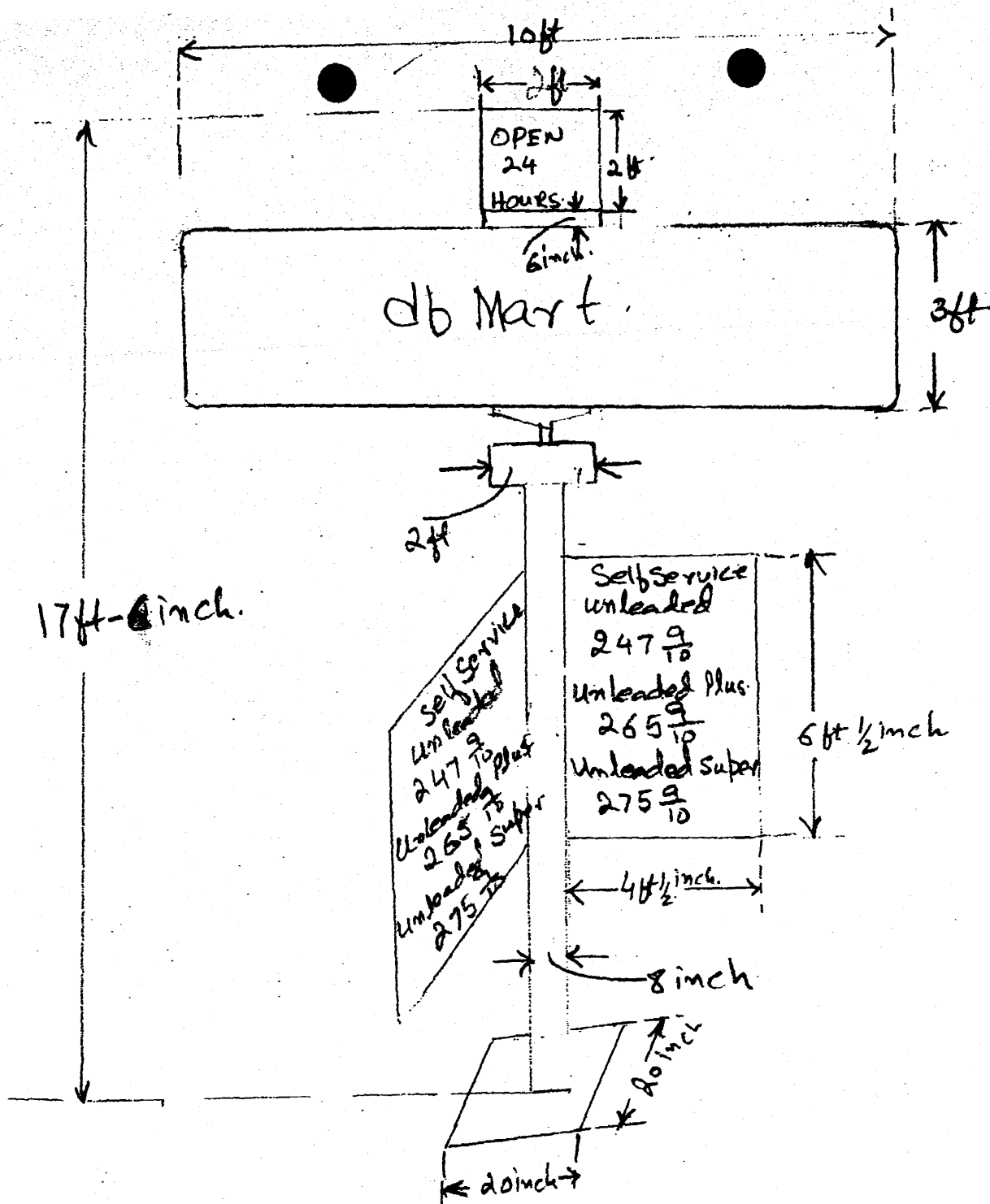


SECTION D-B
SCALE 0.312

LACE SPECIFICATIONS

MATERIAL
CLEAR POLY 125
COLORS
FACE: GRAY (8-9972) OPAQUE

REV.	DATE	DESCRIPTION	BY
1	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
2	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
3	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
4	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
5	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
6	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
7	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
8	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
9	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN
10	12/15/55	2x5 RVT SOLID GRAY SIGN	JAN



OLD SIGN.

Attachment 4.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: JULY 25, 2006
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 355.49 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #06-18

NAME & ADDRESS:

**Arif Masood
419 Windsor Highway
Vails Gate, NY 12584**

THANK YOU,

MYRA

L.R.07-25-06



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #06-18

TYPE:SIGN TELEPHONE: 562-0544

APPLICANT:

Arif Masood

419 Windsor Highway

Vails Gate, NY 12584

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>365</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 364



<u>DISBURSEMENTS:</u>	<u>MINUTES</u>	<u>ATTORNEY</u>
	<u>\$7.00 / PAGE</u>	<u>FEE</u>

PRELIMINARY:	<u>5</u>	PAGES	\$ <u>35.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	<u> </u>	PAGES	\$ <u> </u>	\$ <u> </u>
PUBLIC HEARING:	<u>4</u>	PAGES	\$ <u>28.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u> </u>	PAGES	\$ <u> </u>	\$ <u> </u>

LEGAL AD: Publish Date:5/9/06 \$ 11.51

TOTAL:	\$ <u>74.51</u>	\$ <u>70.00</u>
---------------	-----------------	-----------------



ESCROW POSTED: \$ 500.00

LESS: DISBURSEMENTS: \$ 144.51

AMOUNT DUE: \$

REFUND DUE: \$ 355.49

Cc:

L.R. 07-25-06

May 22, 2006

18

PUBLIC HEARINGS:

AM_MART_INC._(MASOOD)_(06-18)

MR. KANE: Request for 96 square foot free-standing sign and 5 foot height for proposed sign at 419 Windsor Highway.

Mr. Arif Masood appeared before the board for this proposal.

MR. KANE: Just like in the preliminary, tell us what you want to do.

MR. MASOOD: My name is Arif Masood, I'm the owner of the property AM Mart, 419 Windsor Highway Vails Gate and I want to put a price sign for my gas station which is going to be Shell and I requested for a size of 20 feet high and five feet wide sign and the existing one was blown off by a wind which was 17 1/2 feet high and this is my request for the Town to look into it and if possible approve it.

MR. KANE: Is there an existing sign there now?

MR. MASOOD: There's no existing sign there.

MR. LUNDSTROM: There was before it was blown down?

MR. MASOOD: Yes.

MS. GANN: What was the difference between the old sign and this sign, I'm sorry?

MR. MASOOD: I have a picture, can I show you?

MR. KANE: Please.

MR. MASOOD: This was the old sign.

May 22, 2006

19

MS. GANN: What's the proposed new sign?

MR. MASOOD: That will look like this.

MS. GANN: So it's not much higher than the old one.

MR. MASOOD: No, this is the old picture, this was 17 1/2 feet high and this one is going to be 20 feet.

MR. LUNDSTROM: How would this be anchored so the wind doesn't affect it?

MR. MASOOD: This will be according to the specs for wind, I don't know.

MR. KRIEGER: So it will be 2 1/2 feet higher than the old sign. Will it be narrower?

MR. MASOOD: Yes, it will be narrower.

MR. KRIEGER: About how much narrower?

MR. MASOOD: It was like something like this diagram and this was 11 1/2 feet.

MR. KRIEGER: Old one was 10 feet?

MR. MASOOD: Four feet this way and 4 feet this way.

MR. KRIEGER: This will be 8 feet and the old one was 10 feet?

MR. MASOOD: No, this is going to be 5, the new one--

MR. KANE: The signs are internally illuminated?

MR. MASOOD: Yes.

MR. KANE: Any flashing lights on them?

May 22, 2006

20

MR. MASOOD: No, sir.

MR. KANE: And the height of the sign if I remember correctly is actually going to be, going to be similar with other gas stations as far as height that are on that corner?

MR. MASOOD: They have different heights.

MR. KANE: They're pretty close?

MR. MASOOD: Yes.

MR. KANE: At this point, I will open it up to the public and ask if anybody's here for this particular hearing? Come on up, state your name and address.

MS. JONES: Okay, well, I'm not actually here for this particular hearing, but I will ask the question anyway, Rebecca Jones, 30 Willow Parkway, New Windsor, which gas station is this?

MR. MASOOD: DB Mart.

MR. BABCOCK: Right next to Key Bank.

MS. JONES: Thank you.

MR. KANE: Anybody else? We'll close the public portion of the hearing, bring it back to Myra, ask how many mailings we had?

MS. MASON: On May 5, I mailed out 28 envelopes and had no response.

MR. KANE: Any further questions? I'll accept a motion.

MS. GANN: I will offer a motion that we grant AM Mart Inc. Mr. Masood for a request for 96 square foot

May 22, 2006

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freestanding sign and five foot height for proposed sign at 419 Windsor Highway in a C zone.

MS. LOCEY: I will second that motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. LOCEY	AYE
MR. KANE	AYE



THE SENTINEL

P.O. BOX 406
VALE GATE, NY 12584

Invoice

Date	Invoice #
5/30/2006	7718

Bill To
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

MM

P.O. No.	Terms	Project
44720	Due on receipt	

Issue Date	Description	PCS/Units	Amount
5/9/2006	LEGAL ADS: AM MART INC. (MASOOD) 1 AFFIDAVIT	7.51 4.00	7.51 4.00
		RECEIVED JUN 16 2006	
		Total	\$11.51

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)
562-1218

State of New York
County of Orange, ss:
Patricia Quill being duly
sworn disposes and says that she is The
Supervisor of Legal Dept. of the E.W. Smith
Publishing Company; Inc. Publisher of The
Sentinel, a weekly newspaper published and
of general circulation in the Town of New
Windsor, Town of Newburgh and City of
Newburgh and that the notice of which the
annexed is a true copy was published 1X
in said newspaper, commencing on
the 9 day of May A.D., 2006
and ending on the 9 day of May
A.D. 2006

Patricia Quill

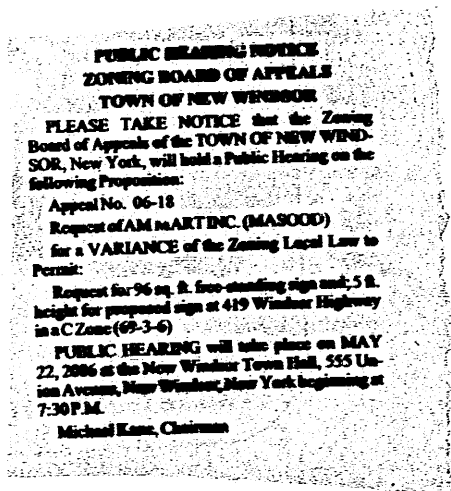
Subscribed and shown to before me
this 5th day of June, 2006.

Deborah Green

Notary Public of the State of New York
County of Orange.

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4554065
Commission Expires July 15, 2007

My commission expires _____



April 24, 2006

3

PRELIMINARY MEETINGS

AM_MART_INC._(MASOOD) (06-18)

MS. GANN: Request for 96 square foot free-standing sign and 5 foot height for proposed sign at 419 Windsor Highway. What we do at the ZBA is have you come up for your prelim meeting, let us know what it is you're here for and please state your name and your address and speak loudly so Fran can hear everything that you need to say. And the same thing for the public hearing, you're obviously allowed to come up and if you do have an opinion on any one of the public hearings, you'll be able to speak on that as well. So for the first preliminary hearing tonight is for AM mart Inc.

Mr. Arif Masood appeared before the board for this proposal.

MS. GANN: Tell us why you're here this evening.

MR. MASOOD: Yes, we have an old price sign there and it's not very good looking, we'd like to change it for a new one and we're in the contract with Shell and we want their sign to be posted.

MS. GANN: And the sign you're talking about is here?

MR. MASOOD: Yes, ma'am.

MS. GANN: It would be the same height?

MR. MASOOD: This was 17 feet high and this will be 20.

MS. GANN: What's the ruling on the heights?

MR. BABCOCK: He's allowed 64 square feet, he's proposing 160 square feet, we count the entire sign square footage of the entire sign so he needs a variance of 96 square feet, he's allowed to be 15 foot

April 24, 2006

4

high, he's proposing 20 foot high so he needs a five foot height. This is the DB gas station right behind Purple Parlor Car Wash and they also propose it to be, to go from DB to Shell.

MR. MASOOD: Yes, sir.

MR. LUNDSTROM: The previous sign that was there, did that fall down?

MR. MASOOD: Fall down.

MR. LUNDSTROM: Question for the building inspector. Are there other signs in the area that height, that size?

MR. BABCOCK: I don't think there's a gas station in Vails Gate that doesn't have a variance for their sign, they have all been in front of this board, Mobil has been on several occasion, Hess has been in, I don't know the other one on the corner, I don't think that's been in, Sunoco, I don't think they've been in.

MR. TORPEY: These number changes that's part of the sign?

MR. BABCOCK: Yeah, actually because it's within this sign, typically if they're on the gas pump that's not part of the sign, but when he wants to advertise them out there it's part of the square footage of the sign.

MS. GANN: Will this new sign be illuminated?

MR. MASOOD: Yes.

MR. KRIEGER: Internal illumination?

MR. MASOOD: Yes.

MR. KRIEGER: Steady illumination, no flashing?

April 24, 2006

5

MR. MASOOD: No flashing.

MS. GANN: Will the sign be impeding upon people driving by? Will it be in their way in terms of looking for traffic and things like that, I mean, has anything been done?

MR. MASOOD: No, I tried to do it, some kind of survey and I found this original one was like more wide so it was covering more as compared to this one, this one's only five feet wide so this one was more obstruction to the site and it was not working.

MS. GANN: Is that the only place you're putting a sign is on that corner?

MR. MASOOD: Yes, ma'am.

MS. GANN: So you did a study then?

MR. MASOOD: Yes.

MS. GANN: Who did this, you?

MR. MASOOD: Yes.

MR. LUNDSTROM: Is the sign going to be stationery or motorized turning around?

MR. MASOOD: Stationery and this is the smallest sign that Shell has.

MS. GANN: Any other questions?

MS. LOCEY: I'm a little confused here, this is the old sign?

MR. MASOOD: Yes.

April 24, 2006

6

MR. TORPEY: Where is the new sign?

MR. MASOOD: I have a picture.

MR. BABCOCK: Pat, this is the new one with the Shell emblem at the top, you should have that in your packet.

MS. LOCEY: We just didn't know that that was the sign.

MS. LOCEY: The previous one was 11 feet wide here?

MR. MASOOD: Yes, ma'am, it was 11 feet wide here and 4 feet this way and 4 feet this way.

MS. LOCEY: Now this is proposed to be how big, one strip five feet?

MR. MASOOD: Yes, five feet wide.

MR. LUNDSTROM: Can you take a look at that also because what I was looking at was the existing sign, this is the new sign?

MR. MASOOD: No, the previous sign.

MR. LUNDSTROM: Do you have a diagram of the newer sign?

MS. LOCEY: This is the diagram of the new sign but you can understand it better than I.

MR. LUNDSTROM: You're saying that's this sign?

MR. MASOOD: Yes.

MR. TORPEY: This is an old paper, see the gas prices.

MS. GANN: So the exact sign would be looking like that, is that what you're saying?

April 24, 2006

7

MR. MASOOD: Yes, either that one or that one.

MS. GANN: Each one of these little blocks would be filled in with something?

MR. MASOOD: Yeah, depending on what if you want something there.

MS. GANN: Any other questions? I'll accept a motion.

MS. LOCEY: I will offer a motion to schedule a public hearing on the application of AM Mart Inc. for their request for a 96 square foot freestanding sign and five foot height for proposed sign at 419 Windsor Highway in a C zone.

MR. TORPEY: Second that motion.

ROLL CALL

MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MS. GANN	AYE

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: AM Mart (Maswood)

DATE: 5/22/06

SIGN-IN SHEET

	NAME	ADDRESS	PHONE NUMBER
1.	Rebecca Jones	30 Willow Pkwy	
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RESULTS OF Z.B.A. MEETING OF: May 22, 2006

PROJECT: Masood (AM Mart) ZBA # 06-18
P.B.# _____

P.B.# _____

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M)_____ S)_____ VOTE: A____ N_____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M)_____S)_____ VOTE: A_____N_____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)___ S)___ VOTE: A___ N___

GANN
LUNDSTROM
LOCEY
TORPEY
KANE

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓
VARIANCE APPROVED: M/G S/LO VOTE: A 5 N 0.

GANN	A
LUNDSTROM	A
LOCEY	A
TORPEY	A
KANE	A

CARRIED: Y / **N** .

Internally Lit - No flashing lights

AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

AM MART INC. (MASOOD)

**AFFIDAVIT OF
SERVICE
BY MAIL**

#06-18

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 5TH day of MAY, 2006, I compared the 28 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

16th day of May, 2006

J. P. Gallagher
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified in Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

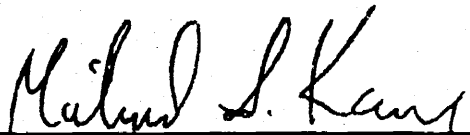
Appeal No. 06-18

Request of AM MART INC. (MASOOD)

for a VARIANCE of the Zoning Local Law to Permit:

Request for 96 sq. ft. free-standing sign and; 5 ft. height for proposed sign at 419 Windsor Highway in a C Zone (69-3-6)

PUBLIC HEARING will take place on MAY 22, 2006
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman

P.O. # 44720

May 9th



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

April 25, 2006

Arif Masood
419 Windsor Highway
New Windsor, NY 12553

Re: 69-3-6 ZBA#: 06-18 (28)

Dear Mr. Masood:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

65-2-20

Norstar Bank of Upstate NY
c/o CBRE #27522
Facilities Mgmt / Box 231476
Hartford, CT 06123

65-2-24

RJM Realty Group, LLC
9 Hawthorne Place #2N
Boston, MA 02114

69-1-9.1

Konstantinos Panagiotopoulos
Theodore Panagiotopoulos
7 Baldwin Hill Road
Middletown, NY 10941

69-2-7

NYS DOT – State Comptroller Off.
Legal Services – 6th Floor
A.E. Smith Building
Albany, NY 12236

69-2-10

Angelo Rosmarino Enterprises, Inc.
P.O. Box 392
Vails Gate, NY 12584

69-3-5

S & S Properties, Inc.
P.O. Box 206
8 Evans Drive
Highland Mills, NY 10930

69-4-26.2

Mobil Oil Corp.
c/o Exxon Mobil Corp / Prop. Tax
P.O. Box 4973
Houston, TX 77210

70-1-2.1

House of Apache Properties, LTD
c/o Herbert Slepoy
104 South Central Avenue
Valley Stream, NY 11580

70-1-6

Goetze Properties, LLC
2084 Boston Post Road
Larchmont, NY 10538

70-1-15.3

Bettina Youngberg
Richard D'Aloia
12 Truex Circle
New Windsor, NY 12553

65-2-21 & 22, 70-1-3 & 5

Mans Brothers Realty, Inc.
P.O. Box 247
Vails Gate, NY 12584

65-2-34

Albany Savings Bank
c/o Citizens Bank, NA Corp. Tax
20 Blackstone Valley Place
Lincoln, RI 02686

69-1-11

I Trudeau LLC
P.O. Box 263
Montgomery, NY 10922

69-2-8 & 12.1

MCB Partnership
521 Green Ridge Street
Scranton, PA 18509

69-2-11

Amerada Hess Corp.
c/o Dean Cole, Mgr Prop. Tax Dept
1 Hess Plaza
Woodbridge, NJ 07095

69-4-26.11

Franchise Realty Interstate Corp.
c/o Colley & McCoy Co.
P.O. Box 779
Croton Falls, NY 10519

70-1-1.1

Constantine Leonardo
7 Dogwood Hills Road
Newburgh, NY 12550

70-1-2.21

4 Acres, LLC
104 S. Central Avenue
Valley Stream, NY 11580

70-1-15.1

Edward & JoAnn Lekis
P.O. Box 204
Vails Gate, NY 12584

65-2-23

Joan Shedden
27 Water Way
Newburgh, NY 12550

69-1-6

VGR Associates, LLC
P.O. Box 334
Lennox Hill Station
New York, NY 10021

69-2-5 & 6

R & S Foods, Inc.
249 North Craig Street
Pittsburgh, PA 15213

69-2-9

Primavera Properties, Inc.
P.O. Box 177
Vails Gate, NY 12584

69-3-2.1

TGS Associates, Inc.
83 Apple Ring Road
Red Hook, NY 12571

69-4-26.13

Herbert Slepoy
Fred Gardner
104 South Central Avenue
Valley Stream, NY 11580

70-1-1.2

Samuel Leonardo
7 Dogwood Hills Road
Newburgh, NY 12550

70-1-4

Gregory Greer
P.O. Box 212
Shields Road
Cornwall, NY 12518

70-1-15.2

John & Detra Denton
10 Truex Circle
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

April 26, 2006

Arif Masood
419 Windsor Highway
Vails Gate, NY 12584

SUBJECT: REQUEST FOR VARIANCE #06-18

Dear Mr. Masood:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The charge for publication in the Sentinel will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

419 Windsor Highway
Vails Gate, NY

is scheduled for the May 22nd, 2006 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



RESULTS OF Z.B.A. MEETING OF: April 24, 2006

PROJECT: AM Mart, Inc.

ZBA # 06-18

P.B.# _____



USE VARIANCE: _____ NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____ CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) LO S) I VOTE: A 4 N 0

GANN A
LUNDSTROM A
LOCEY A
TORPEY A
~~KANE~~ _____

CARRIED: Y ✓ N _____

PUBLIC HEARING: _____ STATEMENT OF MAILING READ INTO MINUTES _____
VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

GANN _____
LUNDSTROM _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____.

No Flashing Light

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 04-19-2006

FOR: ESCROW 06-18

FROM:

Arif Masood
419 Windsor Highway
Vails Gate, NY 12584

CHECK FROM:


AM MART INC.
419 Windsor Highway
Vails Gate, NY 12584

CHECK NUMBER: 364

TELEPHONE: 562-0544

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME

4/21/06

DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#331-2006

04/21/2006

A M Mart,inc

Received \$ 150.00 for Planning Board Fees, on 04/21/2006. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB # 06-18



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

April 19, 2006

Arif Masood
419 Windsor Highway
Vails Gate, NY 12584

SUBJECT: REQUEST FOR VARIANCE #06-18

Dear Mr. Masood:

This letter is to inform you that you have been placed on the April 24, 2006 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

418 Windsor Highway
Vails Gate, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

CHECKED BY MYRA: OK 4/19/06
TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: 04-19-2006 PROJECT NUMBER: ZBA# 06-18 P.B. # _____

APPLICANT NAME: ARIF MASOOD

PERSON TO NOTIFY TO PICK UP LIST:

ARIF MASOOD
419 WINDSOR HIGHWAY
VAILS GATE, NY 12584

TELEPHONE: 562-0544

TAX MAP NUMBER: SEC. 69 BLOCK 3 LOT 6
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 419 WINDSOR HIGHWAY
VAILS GATE

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION _____
(IS NOT PREPARED ON LABELS)

❖ ❖

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 366

TOTAL CHARGES: _____



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

_____ **Application Type:** Use Variance ☐ Area Variance ☐
Date Sign Variance ☐ Interpretation ☐

- I. **Owner Information:** Phone Number: 845 562 0544
ARIE MASOOD Fax Number: 845 562 0544
(Name)
419 Windsor Highway Vails gate N.Y. 12584.
(Address)
- II. **Applicant:** Phone Number: 845 562 0544
ASIF MASOOD CHAUDHRY Fax Number: () Same As above
(Name)
same as above
(Address)
- III. **Forwarding Address, if any, for return of escrow:** Phone Number: ()
Fax Number: ()
(Name) N/A
(Address)
- IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ()
Fax Number: ()
(Name)
(Address)
- V. **Property Information:**
Zone: C Property Address in Question: 419 Windsor Hwy
Lot Size: _____ Tax Map Number: Section 69 Block 3 Lot 6
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? No
c. When was property purchased by present owner? 11/2004
d. Has property been subdivided previously? No If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? No
f. Is there any outside storage at the property now or is any proposed? No

******PLEASE NOTE:******

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

KINDLY SEE THE ATTACHMENT

PLEASE NOTE:

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COMPLETE THIS PAGE ☐

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1			
Sign #2			
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

Original sign was 16.5 sq ft height = 17.5 ft. This sign was broken due to high winds, therefore new sign needs to be put in. Our gas station is at a lower grade than other gas stations. It's very hard to see the previous sign due to ^{sign} obstruction of signs and due to lower grade of ^{car} station. New sign will add beauty ^{sign} to Five Corners.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs two boards (2x1) + 48 sq ft ?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____
- (b) Describe in detail the proposal before the Board:

PLEASE NOTE:

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XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- _____
- _____

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variances is being requested for showing relationship to property lines (5 or 6) from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

27 day of MARCH 2006.

Mary Crank
Signature and Stamp of Notary

Arief Masood
Owner's Signature (Notarized)

ARIE MASOOD
Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

Mary Crank
Notary Public, State of New York
No. 01CR8123574
Qualified in Orange County
My Commission Expires March 7, 2009

COMPLETE THIS PAGE ☐

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

ARIF MASOOD, deposes and says that he resides
(OWNER)

at 419 WINDSOR HWY, VAILS GATE in the County of ORANGE
(OWNER'S ADDRESS)

and State of N.Y. and that he is the owner of property tax map

(Sec. 69 Block 3 Lot 6)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

ARIF MASOOD CHAUDHRY, 419 WINDSOR HWY VAILS GATE, N.Y. 12584
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

**

Date: _____

Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:

_____ day of _____ 20____

Applicant's Signature (If different than owner)

Arif Masood Chaudhry
Representative's Signature

Signature and Stamp of Notary

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE ☐

Total Attachment = 4 + Pictures.



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

★

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

★★

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

PUBLIC HEARING LIST OF PROPERTY OWNERS

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP. **BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING.** YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

Attachment (1)

I assure the respected members of zoning board that the alleged difficulty is not self created. The old sign which was installed long ago was kind of eye sour and was so rusted that it was knocked down by strong winds, thank God no one was hurt. The new sign will add beauty and safety to five corners, and it will not block the view of other business due to the following:

1. The old sign was 11 ft wide by 17½ ft high whereas the new sign is only 5 ft wide by 20 ft high.
2. The area for the old sign was 165 sq. ft (both sides) whereas the new sign is 160 sq. ft (both sides)
3. The old sign was unsafe, unbalanced, rusted and it was mounted only one single pole whereas the new sign is strong, balanced and will be mounted on two poles.
4. The old sign was ugly and uncolorful where the new sign is more colorful and brings more beauty and business to the area.
5. The old sign was blocking the view since it was 11 ft wide whereas the new sign will block less view because it is 5 ft wide.
6. Putting a new sign with half the width of old sign will provide more view for the other business.
7. Old sign was having two faces (Rt 32 and Rt. 94), where as new sign will be facing one side.
8. Other gas stations across the road are on higher level, my gas station at a lower level, as a result my gas station is not visible as compared to others.

Therefore I would like to request the honorable member of zonic board to grant me the permission to install this new sign. As